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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,423	11/13/2001	Andrew R. Ferlitsch	10237.12	3540

21999	7590	12/21/2005

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EXAMINER
TIV, BACKHEAN

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/008,423	FERLITSCH, ANDREW R.
	Examiner	Art Unit	
	Backhean Tiv	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 September 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-10,12-17,20,21,24-29 and 33-39* is/are pending in the application.

   4a) Of the above claim(s) *11,18,19,22,23,30-32* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-10,12-17,20,21,24-29 and 33-39* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Claims 1-10, 12-17, 20-21,24-29, 33-39 are pending in this application. Claims

11,18,19,22,23,30-32 have been cancelled. Claims 33-39 are new claims. This is a

response to the amendment filed on 9/28/05.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 17 recites the limitation "the other client". There is insufficient antecedent

basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10, 12-17, 20-21,24-29, 33-39 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Jamsa, "1001 Windows 98 Tips", (copyright 1998, (Jamsa) in

view of US 6,700,678 issued to Luman.

As per claim 1, Jamsa teaches a networked system that provides for the management and processing of print jobs without the use of a print server(Tip 363), the system comprising:

wherein the plurality of client computer device are configured to participate in bi-directional communication(Tip 363),and wherein each client computer device includes a local print queue and a local print queue manager, wherein the local print queue manager is one of (i) a spooler, (ii) a print processor, and (iii) a print assist in a local print subsystem of the corresponding client computer device(Tip 375-380);
a printing device for processing a print job initiated at one of the plurality of client computer devices, and corresponds to the print queues of the client computer devices(Tip 375-380);

a message sent from a print queue manager of a first client computer device to a second client computer device, wherein the first and second client computer devices are of the plurality of computer devices (Tip 375-380).

Jamsa however does not explicitly teach a network; a plurality of client computer devices connected to the network and wherein the printing device is connected to the network.

Luman explicitly teaches a network(Fig.2); a plurality of client computer devices connected to the network and wherein the printing device is connected to the network(Fig.2).

Therefore it would have been obvious to one ordinary skill in the art at the time of

the invention to modify the teachings of Jamsa to explicitly include a network with

various devices connected to the network as taught by Lumani in order to print

documents with a printing device on the network(Lumani, col.1, lines 10-15).

One ordinary skill in the art at the time of the invention would have been

motivated to combine the teachings of Jamsa and Lumani in order to provide a system

to print documents with a printing device on the network(Lumani, col.1, lines 10-15).

As per claim 12, 28, Jamsa teaches a system that includes one or more client

computer devices connected to a printing device, a method for managing and

processing a print job without any use of a print server(Jamsa), the method comprising

initiating a print job at a first-client computer device(Tip 375-380);

spooling the print job from a printer driver to a spooler, wherein the printer driver

and the spooler are local to the client computer device(Tip 375-380);

placing the print job on a print queue that is local to the client computer

device(Tip 375-380);

locally managing the print job until print data of the print job is despooled to the

printing device, said managing the print job including broadcasting a message relating

to the print job from the first-client computer device to a second one or more other client

computer devices print job and receiving a response to the first broadcast message(Tip

375-380);

despooling the print data from the first client computer device to the printing

device to process the print job; and updating the local print queue(Tip 375-380).

Jamsa however does not explicitly teach a network; a plurality of client computer

devices connected to the network and wherein the printing device is connected to the

network.

Luman explicitly teaches a network(Fig.2).

Therefore it would have been obvious to one ordinary skill in the art at the time of

the invention to modify the teachings of Jamsa to explicitly include a network with

various devices connected to the network as taught by Lumani in order to print

documents with a printing device on the network(Lumani, col.1, lines 10-15).

One ordinary skill in the art at the time of the invention would have been

motivated to combine the teachings of Jamsa and Lumani in order to provide a system

to print documents with a printing device on the network(Lumani, col.1, lines 10-15).

As per claim 2,34, wherein the broadcast message indicates an intent of the first

client computer device to participate in a distributed management of a print job(Jamsa,

Tip 375-380).

As per claim 3,35, wherein the broadcast message indicates an intent to despool

print data to the printing device(Jamsa, Tip 375-380).

As per claim 4,36, wherein the broadcast message indicates an intent to set a

status for the print job(Jamsa, Tip 375-380).

As per claim 5, wherein the broadcast message indicates an intent to get a

current status for the print job(Jamsa, Tip 375-380).

As per claim 6, wherein the broadcast message indicates an intent to set a status on the printing device(Jamsa, Tip 375-380, Luman, Abstract).Motivation to combine set forth in claim 1.

As per claim 7,37, wherein the broadcast message indicates an intent to get a current status for the printing device(Jamsa, Tip 375-380, Luman, Abstract).Motivation to combine set forth in claim 1.

As per claim 8,38, wherein the broadcast message provides a request for print queue information(Jamsa, Tip 375-380).

As per claim 9,39, wherein the broadcast message provides a request for a print queue change(Jamsa, Tip 375-380).

As per claim 10, wherein the broadcast message provides a request for administrative authority (Jamsa, Tip 375-380).

As per claim 13, wherein said initiating a print job includes determining whether to perform cluster printing, and wherein if the cluster printing is to be performed, utilizing the printing device in performing the cluster printing(Jamsa, Tip 375-380).

As per claim 14, wherein said initiating a print job includes determining whether to perform intelligent routing, and wherein if the intelligent routing is to be performed, utilizing the printing device in performing the intelligent routing(Jamsa, Tip 375-380).

As per claim 17, wherein said receiving a response ,includes receiving no response from any of the other client computer devices(Luman, Abstract).Motivation to combine set forth in claim 17.

As per claim 20, wherein the print job is a first print job, and wherein said locally managing the first print job further comprises:

receiving a broadcast from a second client computer device relating to a second print job that was initiated at a the second client computer device and is to be rendered on the printing device from the second client computer device(Jamsa, Tip 375-380); and

ordering the first print job and the a second print job broadcast on the local print queue(Jamsa, Tip 375-380).

As per claim 21, wherein said locally managing the print job is performed by at least one of: (i)a print driver; and (ii) a print assistant; and (iii) the spooler(Jamsa, Tip 375-380).

As per claim 24, wherein said despooling the print data further includes setting a status of the first print job on the local print queue(Jamsa, Tip 375-380)..

As per claim 25, wherein the step for despooling the print data further includes removing a remote entry of the first print job from a remote print queue(Jamsa, Tip 375-380).

As per claim 26, wherein if the print data corresponding to the print job is in a printer ready format, the step for despooling the print data further includes using a print processor to send the print data to a port manager(Jamsa, Tip 375-380).

As per claim 27, wherein if the print data corresponding to the first print job is in a journaled format, the step for despooling the print data further includes using a print processor to play back the journaled data to a printer driver(Jamsa, Tip 375-380);

spooling the print data to a spooler; and sending the print data to a port

manager(Jamsa, Tip 375-380).

As per claims 15, 16, 29, wherein said managing the print job comprises

receiving a response to the broadcast message, said receiving a response comprising:

determining whether the response include a conflict from the client computer

device to despoil the print data to the printing device, wherein if the conflict is included

in the response, resolving the conflict(Jamsa, Tip 375-380, Luman, Abstract); and

determining whether the response includes an objection from the client computer

device to despoil the print data to the printing device, wherein if the objection is included

in the response, resolving the objection(Jamsa, Tip 375-380, Luman, Abstract).

Motivation to combine set forth in claim 12.

As per claim 33, wherein the broadcast message is used to perform at least one

of: (i)registering a client computer device in a distributed management of print jobs; (ii)

indicating an intent to despool the print job; (iii)setting a status of a despoiled print job;

(iv)obtaining a status of a despoiled print job; (v)setting a status of the printing device;

(vi)obtaining a status of the printing device; (vii)requesting print queue information; and

(viii)requesting a print queue change(Jamsa, Tip 375-380).

Response to Arguments

Applicant's arguments with respect to claims 1-10, 12-17, 20-21,24-29, 33-39

have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

US Publication 2002/0001495 issued to Mochizuki

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571)272-3941. The examiner can normally be reached on 9 A.M.-12 P.M. and 1-6 P.M. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free).

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